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8 Attorney for Plaintiff
9 PROTECH DIAMOND TOOLS
10 INCORPORATION

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

10 PROTECH DIAMOND TOOLS) Case No. C 08-3684 SBA
11 INCORPORATION, a California Corporation,)
12) **REQUEST AND ORDER EXTENDING**
13 Plaintiff,) **INITIAL CASE MANAGEMENT AND**
14 vs.) **ADR DEADLINES**
15)
16 DAVID LIAO, an individual,)
17 PROTECH DIAMOND TOOLS INC., a)
18 Canadian Corporation, and PROTECH)
19 DIAMOND USA, INC., a California)
20 Corporation and DOES 1-10,)
21 Defendants.)

22 Plaintiff Protech Diamond Tools Incorporation filed its Complaint for Trademark
23 Infringement, False Designation of Origin and Unfair Competition on August 1, 2008 against
24 three defendants: David Liao, Protech Diamond Tools Inc. and Protech Diamond USA, Inc.

25 Plaintiff served Protech Diamond USA, Inc. on August 11, 2008 and filed its Certificate
of Service with the Court on August 27, 2008.

**REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE
AND ADR DEADLINES
CASE NO. C 08-3684 SBA**

1 On September 2, 2008, Plaintiff sent Requests for Waiver and Waivers of Service to
2 counsel for the remaining defendants, Mr. David Liao and Protech Diamond Tools Inc., which
3 are both Canadian entities ("Canadian Defendants"). Accordingly, the Canadian Defendants
4 will have ninety days, or until December 1, 2008, by which to respond to Plaintiff's Complaint.
5 Fed. R. Civ. Proc. 4(d), 12(a)(1)(A)(ii).

6 On September 2, 2008, Plaintiff filed a Request for Extension of Time for Defendant
7 Protech Diamond USA, Inc. to respond to the Complaint as it is related to the Canadian
8 Defendants. This Court granted Plaintiff's Request and issued an Order dated September 2,
9 2008 granting Defendant Protech Diamond USA, Inc. until December 1, 2008 by which to file
10 its answer.
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12 As the time for all three defendants to respond to the Complaint is now set for well after
13 the initial case management and alternative dispute resolution scheduled deadlines, Plaintiff
14 respectfully requests under Rule 6(b)(1) of the Federal Rules of Civil Procedure, that the Court
15 extend the dates set forth in its Order Setting Initial Case Management Conference and ADR
16 Deadlines issued August 1, 2008 and the Clerk's Notice filed August 6, 2008 by ninety (90)
17 days as follows, or as soon thereafter as the Court deems convenient:

18 1. Last day to meet and confer re: initial disclosures, early settlement, ADR
19 process selection, and discovery plan; file joint ADR Certification with Stipulation to ADR
20 Process or Notice of Need for ADR Phone conference is extended to **January 13, 2009**;

21 2. Last day to complete initial disclosures or state objection in Rule 26(f) Report,
22 file Case Management Statement and file/serve Rule 26(f) Report is extended to **January 27,**
23 **2009**; and
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Plaintiff believes good cause exists for the Court to grant this extension of the initial case management and alternative dispute resolution deadlines because the defendants will not have appeared prior to the expiration of the current scheduled deadlines. Accordingly, the disclosure of information as required by the Federal Rules of Civil Procedure and this Court's Local Rules cannot meaningfully be exchanged and discussed until all parties are before this Court.

LAW OFFICE OF ANNE HIARING

**REQUEST AND [PROPOSED] ORDER EXTENDING INITIAL CASE MANAGEMENT CONFERENCE
AND ADR DEADLINES
CASE NO. C 08-3684 SBA**

1 IT IS SO ORDERED.

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3 DATED: _9/15/08

4 By: 
HON. SAUNDRA B. ARMSTRONG
United States District Court Judge